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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,087	02/17/2004	Michael A. Sheha	513162000600	6332
25224	7590	12/04/2006	EXAMINER	
MORRISON & FOERSTER, LLP 555 WEST FIFTH STREET SUITE 3500 LOS ANGELES, CA 90013-1024			BLOUNT, ERIC	
			ART UNIT	PAPER NUMBER
			2612	

DATE MAILED: 12/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/781,087		SHEHA ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Eric M. Blount		2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 September 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 10, 11 and 15-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 15, 16/15, 21/15, 22/15, 31/15, 32/15, 33/15, 35/15, 36/15, 38/17 is/are allowed.
- 6) ☒ Claim(s) 1, 10, 17, 18, 22-24, 27, 28 and 31-35 is/are rejected.
- 7) ☒ Claim(s) 21/1, 11/10, 21/10, 19/17, 20/17, 21/17, 25, 26, 29, 30, and 36-38 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 10, 17, 18, 22, 23, 24, 27, 28, and 31-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Obradovich [US 6,525,768].

Regarding **claim 1**, Obradovich discloses a machine readable medium having a set of executable instructions for causing a processor to perform a method of displaying position information of a mobile communication device, said processor being operatively coupled to the mobile communication device, said mobile communication device including a machine readable memory, a display, a GPS device, a communication interface, and a timing element (Figures 2-4), said method comprising the steps of

- a. Periodically receiving position information of the mobile computing device using the GPS device, the position information describing a position of the mobile computing device (column 1, lines 21-28 and column 9, lines 59-65).

- b. Associating each periodically received position information with a time data, said time data indicating a time at which each position information was received (A skilled artisan would have recognized that time data is associated with GPS information (column 10, lines 29-34). The time would be used to present users with a plot of the trail of the device on the map.).
- c. Storing in the machine-readable memory the periodically received position information (column 10, lines 29-34, The positions are obviously stored if a trail of past locations can be plotted).
- d. Displaying on the display of the mobile communication device a graphical map (column 10, lines 18-67 and Figure 8).
- e. Displaying on the graphical map a graphical position icon indicating a position described by one of the periodically received position information (Figure 8).
- f. Displaying the time data associated with the position information describing the position indicated by the graphical position icon (107, Obradovich shows that date and time information are provided along with the map).
- g. Recording in said machine readable memory each communication activity of the communication interface (Figure 5B); and
- h. Wherein the communication activity is one of a dialed telephone call, missed telephone call, received telephone call, e-mail message reception or transmission, a voicemail recording, instant text message reception or transmission, and a page reception or transmission (Figure 5B).

Obradovich is silent on the step of associating time data with each communication activity recorded. However, examiner takes official notice that it was well known in the art for communications devices to save recorded communications with time information. It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to associate time data with the recorded communications activities lists taught by Obradovich. This would have been obvious because associating time data with the recordings would allow the user to arrange and sort through the list of events in a convenient manner using chronological ordering based on the time information.

Regarding **claim 10**, Obradovich discloses a machine readable medium having a set of executable instructions for causing a processor to perform a method of displaying position information of a mobile communication device, said processor being operatively coupled to the mobile communication device, said mobile communication device including a machine readable memory, a display, a GPS device, a communication interface, and a timing element (Figures 2-4), said method comprising the steps shown above in claim 1, and further comprising:

- a. Displaying at least one recorded communication activity (Obradovich discloses in columns 10 and 11 that a touch screen allows a user to view at least one recorded communication activity.); and
- b. Reproducing communication content data associated with the displayed recorded communication activity, wherein the communication content data is one of text data and sound data (Obradovich shows in columns 10 and 11 that recorded communication activity can be displayed. The content data would obviously be text data).

Regarding **claims 17, 18, 23, and 24**, Obradovich discloses a machine readable medium having a set of executable instructions for causing a processor to perform a method of displaying position information of a mobile communication device, said processor being operatively coupled to the mobile communication device, said mobile communication device including a machine readable memory, a display, a GPS device, a communication interface, and a timing element (Figures 2-4), said method comprising the steps as shown above in the discussion of claim 1.

Obradovich does not specifically disclose displaying a graphical calendar. However, in Figure 16, Obradovich discloses calendar option in the menu section of the device. This would suggest to one skilled in the art that when selected, a calendar would be displayed in the display area. Calendar applications were well known in the art at the time of the invention by the applicant (see cited references). Further, time periods shown on calendars are always presented in yearly, monthly, weekly, daily, hourly, or minute denominations. It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicants that a graphical calendar including a plurality of time slot locations indicating different sequential periods of time would be displayed when desired by a user. This would be advantageous because it would allow a user to view upcoming events and/or particular dates and times.

As for **claims 22/10 and 22/17**, the communication activity is one of a dialed telephone call, missed telephone call, received telephone call, e-mail message reception or transmission, a voicemail recording, instant text message reception or transmission, and a page reception or transmission (Figure 5B).

As for **claims 27 and 28**, the claimed limitations are interpreted and rejected as claims 17, 18, 23, and 24 above.

As for **claim 31**, Obradovich discloses that the processor is operatively coupled to third-party devices via a communications network (column 3, lines 63-67). It is obvious that the third-party must have machine readable medium for sharing information.

As for **claim 32**, the mobile communication device is a cellular telephone.

As for **claim 33**, Obradovich discloses steps of retrieving from memory a point of interest location being located within a predetermined proximity of the position indicated by the graphical position icon and displaying on the graphical map a point of interest icon indicating the point of interest location on the graphical map (Figure 8 and column 10, lines 35-67).

As for **claim 34**, Obradovich discloses a step of calculating the distance between the point of interest location and the position indicated by the graphical position icon (column 3, lines 1-19).

Regarding **claim 35**, Obradovich discloses a step of calculating traveling speed (column 22, lines 48-60).

***Allowable Subject Matter***

4. Claims 21/1, 11/10, 11/21, 19/17, 20/17, 21/17, 25, 26, 29, 30, and 36-38 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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5. **Claims 15 and all claims depending therefrom** are allowed. The following is an examiner's statement of reasons for allowance: The prior art of record fails to sufficiently describe or suggest a machine readable medium having a set of executable instructions for causing a processor to perform a method of displaying position information of a mobile communication device, said processor being operatively coupled to the mobile communication device, said mobile communication device including a machine readable memory, a display, a GPS device, a communication interface, and a timing element , said method comprising the steps of displaying, on the display of the mobile communication device a graphical map, receiving at the mobile communication device, a time range input signal indicating a period of time, said period of time defined by a starting time and an ending time, and displaying on the graphical map a plurality of recorded communication activity that occurred during the time specified by the time range input signal.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric M. Blount whose telephone number is (571) 272-2973. The examiner can normally be reached on Monday-Thursday 8:00 am - 4:00 pm.



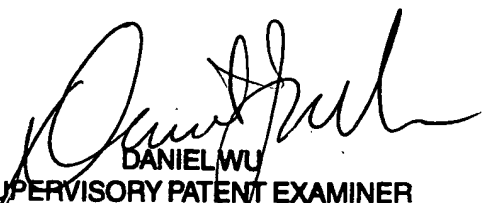
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Eric M. Blount  
Examiner  
Art Unit 2612

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DANIEL WU  
SUPERVISORY PATENT EXAMINER  
11/27/06